



140 Grand Street, Suite 705, White Plains, New York 10601
t 914.686.1500 • f 914.487.5000 • www.yankwitt.com

White Plains, NY
Atlantic City, NJ

March 10, 2023

Via Electronic Case Filing

The Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street, Courtroom 630
White Plains, New York 10601

Re: *White Plains Aviation Partners, LLC, d/b/a Million Air White Plains v.
The County of Westchester*, Case No. 21 Civ. 5312 (VB)

Dear Judge Briccetti:

This firm represents plaintiff White Plains Aviation Partners, LLC, d/b/a Million Air White Plains (“Million Air”), in the above-referenced action. We write on behalf of Million Air and defendant the County of Westchester (the “County”), to jointly request an extension of the discovery deadline set forth in the Court’s Third Revised Civil Case Discovery Plan and Scheduling Order (Dkt. No. 68) (“Third Revised Scheduling Order”), from May 1, 2023, until August 1, 2023.

Under the Third Revised Scheduling Order, all discovery is to be completed by May 1, 2023. On October 4, 2022, the Court granted Million Air’s motion to amend the Complaint in this action. On October 11, 2022, Million Air filed the Amended Complaint, asserting new breach of contract and declaratory judgment claims, and on October 25, 2022, the County filed its Answer and asserted several counterclaims. Million Air answered those counterclaims on November 15, 2022. The parties thereafter served amended Rule 26(a)(1) disclosures, document requests and interrogatories, and responses and amended responses thereto. The parties also have discussed and agreed on document custodians for electronic searches, and collected documents from those custodians.

The parties have conferred on the additional document discovery relating to the claims in the Amended Complaint and the County’s counterclaims, resolved all issues to date concerning such document production, and are in the process of reviewing and producing documents. Million Air expects to have substantially completed its production in the next several weeks. However, given the very significant volume of electronic documents in this matter and the anticipated number of depositions, the parties require additional time to complete discovery. Accordingly, the parties jointly request that the Court extend the remaining deadlines for fact and expert discovery set forth in the Revised Scheduling Order, such that all discovery in the case would be completed by August 1, 2023. Per the Court’s Individual Practices, a proposed Revised Civil Case Discovery Plan and Scheduling Order is attached.

This is the parties’ fourth request for an extension of the discovery deadline in this

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matter. By Orders dated July 26, 2022, September 14, 2022, and November 14, 2022, respectively, the Court granted previous requests for extensions of that deadline.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

YANKWITT LLP

Counsel for Million Air

By: /s/ Ross E. Morrison

Russell M. Yankwitt

Ross E. Morrison

Jonathan Ohring

(via ECF)

cc: All counsel of record